

FILED

UNITED STATES DISTRICT COURT January 21, 2022

for the
Southern District of Texas

Nathan Ochsner, Clerk of Court

In the Matter of the Search of

*(Briefly describe the property to be searched
or identify the person by name and address)*United States Postal Service Priority Mail Express Parcel
EI 070 163 045 USCase No. **4:22-mj-144**

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property *(identify the person or describe the property to be searched and give its location)*:

United States Postal Service Priority Mail Express Parcel EI 070 163 045 US currently located at 4600 Aldine Bender Rd., Houston, TX 77315

located in the Southern District of Texas, there is now concealed *(identify the person or describe the property to be seized)*:

Controlled substances and/or proceeds

The basis for the search under Fed. R. Crim. P. 41(c) is *(check one or more)*:

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
21 USC 841(a)(1)	Distribution of a controlled substance
21 USC 846	Conspiracy

The application is based on these facts:
(See Attached Affidavit)

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days *(give exact ending date if more than 30 days)*: _____ is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Matthew S. McClaid
Applicant's signature

Matthew S. McClaid, U.S. Postal Inspector
Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
Telephone *(specify reliable electronic means)*.

Date: January 21, 2022

City and state: Houston, Texas

Frances H. Stacy
Frances H. Stacy
United States Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

HOUSTON DIVISION

In the Matter of the Search of

§
§
§
§
§
§

Magistrate No.

4:22-mj-144

United States Postal Service
Priority Mail Express Parcel
EI 070 163 045 US

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, Matthew S. McClaid, being duly sworn, state the following:

1. I have been employed by the United States Postal Inspection Service for the past seventeen (17) years. During my career as a federal law enforcement officer, I have worked drug trafficking investigations and participated in hundreds of controlled substance investigations involving the transportation of controlled substances or proceeds/payments through parcel delivery services, to include the United States Mails, as well as private delivery couriers such as United Parcel Service (UPS) and Federal Express (FedEx). During this time, I have intercepted or helped in intercepting in excess of one thousand (1000) parcels which were found to have contained controlled substances or the proceeds of controlled substance sales. I have received training by the U.S. Postal Inspection Service (USPIS) in the investigation of controlled substances or the proceeds of narcotics sales being transported through parcel delivery services.

2. I also rely upon the training and experience of other members of the USPIS Houston Division Narcotics Team. The team is comprised of five (5) members, three (3) of whom have been assigned to narcotics investigations for at least three (3) years. During that time, the USPIS

Houston Division Narcotics Team has intercepted in excess of five thousand (5,000) parcels which were found to have contained controlled substances or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances.

3. Experience and drug trafficking intelligence information gathered by the USPIS have demonstrated that the U. S. Postal Service Express Mail and Priority Mail are frequently utilized by drug traffickers for shipping controlled substances or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances. Use of Express Mail and Priority Mail are favored because of the speed (Express Mail - overnight; Priority mail - two day delivery), reliability, free telephone and Internet package tracking services, as well as the perceived minimal chance of detection. Express Mail and Priority Mail were originally intended for urgent, business to business, correspondence. Intelligence from prior packages, which were found to contain controlled substances or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances, has indicated that these parcels are usually addressed from an individual to an individual. Express Mail and Priority Mail are seldom used for individual to individual correspondence.

4. In an effort to combat the flow of controlled substances through the overnight delivery services, interdiction programs have been established in cities throughout the United States by the USPIS. These cities have been identified as known 'sources' of controlled substances. The USPIS conducts an ongoing analysis of prior packages mailed through overnight delivery services, which were found to contain controlled substances or proceeds/payments of controlled substance sales. The analysis of prior packages, which were found to contain controlled substances or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances, indicated that these parcels are usually sent from an individual to an individual. In the few cases when overnight delivery packages containing controlled substances or the proceeds of controlled substance sales or moneys

furnished or intended to be furnished in exchange for controlled substances, have displayed a business or company name, it has usually proven to be fictitious or used without the owner's knowledge and consent. Additionally, this analysis has established a series of characteristics which, when found in combination of two (2) or more, have shown a high probability that the package will contain a controlled substance or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances. Information collected by the USPIS has demonstrated that the presence of these characteristics is significant for delivery services, to include U. S. Postal Service Express Mail, Federal Express, and United Parcel Service. This profile includes, but is not limited to, the following characteristics: package mailed from or addressed to a narcotic source city; package has a fictitious return address; package addressee name is unknown at the destination address; package sender name is unknown at the return address; package has address information which is handwritten; package is mailed to or from a Commercial Mail Receiving Agency (CMRA); package is addressed from an individual to an individual; phone numbers listed on the package are not related to the listed parties or are not in service; packages are wrapped and/or heavily taped; frequency of the mailings is inconsistent with normal use absent a business relationship; and the ZIP Code from where the package is mailed is different than the ZIP Code used in the return address.

5. The USPIS analysis of prior narcotics packages mailed through overnight delivery services has consistently shown that the identification of 'source' cities has proven to be one of several reliable characteristics used in identifying suspect parcels. This analysis has also demonstrated that narcotics parcels originating from states other than source locations have been consistently found to contain 'designer' drugs, such as Ecstasy, GBL, GHB, Anabolic Steroids, and other similar controlled substances. Generally such 'designer drugs' are not organic and are the product of a laboratory process.

6. This affidavit is made in support of an application for a Federal search warrant to search United States Postal Service (USPS) Priority Mail Express Parcel EI 070 163 045 US ("Subject Parcel") described more particularly as follows:

Subject Parcel:	Priority Mail Express Parcel EI 070 163 045 US
Addressee:	TiTo ThomPSon 740 evelyn circle Vallejo ca 94589
Sender:	HARVey T 4011 Botany Ln Houston tx 77047
Size/Dimensions:	Brown cardboard box approximately 16 3/8" x 12 5/8" x 12 5/8"
Postmarked:	January 20, 2022
Postmark City:	Pearland, TX 77584
Postage Amount:	\$156.40
Weight:	19 lbs. 14 oz.

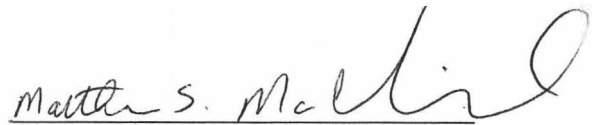
7. On January 20, 2022, an outbound review of Express Mail at the USPS North Houston Processing Plant, 4600 Aldine Bender Rd, Houston, TX 77315, was conducted and identified the suspect parcel. Closer inspection of the suspect parcel revealed several indicators which were suspicious, and have in the past been associated with parcels that have contained narcotics or narcotics proceeds. Inspector Grafmiller observed that the suspect parcel bore a handwritten label, and was mailed from Pearland, TX. Houston and surrounding areas have been identified by USPS as a "source" city for narcotics and drug proceeds.

8. On January 21, 2022, your affiant queried various postal and law enforcement databases on the sender address “4011 Botany Lane, Houston, TX 77047” and found that it is a legitimate address, and the name “Harvey Thompson” is associated with it. A review of open source checks confirmed that the recipient address of “740 Evelyn Circle, Vallejo, CA 94589” to be a legitimate address, and the name “Tito Thompson” is associated with it. On January 20, 2022, Inspector J. Grafmiller called phone number 415-933-1025 listed on the sender section of the Priority Mail Express label. An unknown male answered the phone and Inspector J. Grafmiller advised he worked for the post office and asked if he was speaking with Harvey T. Inspector J. Grafmiller asked the unknown male about the Express Mail parcel. The unknown male advised he did not live at the listed residence and did not know anything about the parcel. The unknown male advised he was in California. On this same date, J. Grafmiller called phone number 707-246-2710 listed on the recipient section of the Priority Mail Express label. An unknown male answered the phone and when Inspector J. Grafmiller advised he worked for the USPS, the unknown male hung up.

9. On January 20, 2022, Inspector Grafmillerx obtained the assistance of Officer G. Ortiz, a Canine Officer (“K9”) with the Houston Police Department and certified handler of K9 “Lotti”. Officer G. Ortiz and “Lotti” are certified as a team in the detection of controlled substances. Officer G. Ortiz and “Lotti” received their certification through the National Narcotic Detector Dog Association (NNDDA). “Lotti” has numerous hours of training in the detection of controlled substances such as Marijuana, Cocaine, Methamphetamine, MDMA and Heroin. “Lotti” has successfully alerted on concealed controlled substances in numerous prior cases, which has led to the arrest of numerous suspects for drug law violations. “Lotti” was last certified in June of 2021. Upon Officer G. Ortiz’s arrival, “Lotti” was allowed to examine the Subject Parcels individually along with three (3) “dummy” boxes (boxes containing no suspected controlled substances, in fact empty boxes) on the floor in different locations known not to be contaminated with the odor of controlled substances. “Lotti” conducted an exterior examination

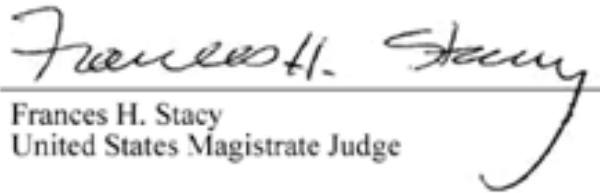
of the Subject Parcel and “dummy” boxes. Officer G. Ortiz advised that “Lotti” indicated a positive alert to the presence of a controlled substance scent coming from within the Subject Parcel.

10. Based upon the foregoing facts and circumstances, I believe there is probable cause that a controlled substance(s) and/or evidence of violations of 21 U.S.C. §§ 841(a) and 846 are contained in the subject parcel. Therefore, I request to search the subject parcel for any such controlled substance(s) or evidence of violations of 21 U.S.C. §§ 841(a) and 846, and if any such contraband or evidence be found therein, to seize the same.

A handwritten signature in cursive script, reading "Matthew S. McClaid".

Matthew S. McClaid
United States Postal Inspector

Subscribed and sworn to me by telephone in Houston, Texas, on this 21st day of January, 2022, and I so find probable cause.

A handwritten signature in cursive script, reading "Frances H. Stacy".

Frances H. Stacy
United States Magistrate Judge